

COPY

2004 OCT -8 PM 2: 42

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA	)	Subcase No. 45-86D, 45-10249
	)	
Case No. 39576	)	
	)	NOTICE OF COMPLETED
_____	)	ADMINISTRATIVE PROCEEDING

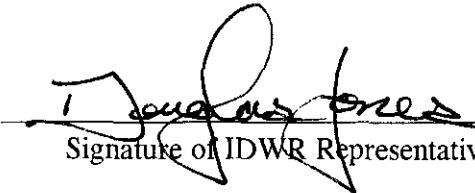
IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**

Does the change in "ownership" result in a splitting of the water right claimed? [☐]Yes [☒]No

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

Dated: 10/7/04



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 10/8, 2004, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls ID 83303-2707
2. One Copy to:
Claimant/Seller for Substitution of Party or attorney of record:
Danny Luker
Kathleen Luker
Current address unknown
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:
Chad Hunter
Utauna Hale
PO Box 129
Oakley ID 83346
4. One Copy to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
5. One Copy to:
United States Dept Of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

10/07/2004

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

OCT -8 PM 2:43
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

RIGHT NUMBER: 45-86D
NAME AND ADDRESS: CHAD W HUNTER
PO BOX 129
OAKLEY ID 83346

UTAUNA K HALE
PO BOX 129
OAKLEY ID 83346

SOURCE: BIRCH CREEK TRIBUTARY: GOOSE CREEK

QUANTITY: 0.030 CFS
1.60 AFY

PRIORITY DATE: 04/01/1881

POINT OF
DIVERSION: T14S R22E S14 SESESE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.030 CFS 1.60 AFY

PLACE OF USE: IRRIGATION Within CASSIA County
T13S R22E S33 SWSW 0.4

0.4 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 45-10249 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF .4 ACRES IN A SINGLE IRRIGATION
SEASON.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for
the definition of the rights or for the efficient administration of the water
rights as may be ultimately determined by the Court at a point in time no
later than the entry of a final unified decree. Section 42-1412(6), Idaho
Code.

10/07/2004

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

PURSUANT TO APPROVED TRANSFER NO. 4272: 1. USE OF WATER UNDER THIS RIGHT WILL BE REGULATED BY THE WATER MASTER OF STATE WATER DISTRICT NO. 45B.

2. A MEASURING DEVICE OF A TYPE APPROVED BY THIS DEPARTMENT SHALL BE MAINTAINED AS A PART OF THE DIVERTING WORKS.

3. THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE NO MORE THAN 4.0 AFA PER ACRE FOR THE LANDS ABOVE.

4. APPROVAL OF THIS TRANSFER IN NO WAY GRANTS ANY RIGHT-OF-WAY OR EASEMENT FOR USE OF A DELIVERY SYSTEM OWNED BY PERSON(S) OTHER THAN THE RIGHT OWNER.

5. FAILURE TO COMPLY WITH THE CONDITIONS OF THIS TRANSFER IS CAUSE FOR THE DIRECTOR TO ISSUE AN ORDER TO SHOW CAUSE WHY THE APPROVAL OF THE TRANSFER SHOULD NOT BE RESCINDED.

6. APPROVAL OF THIS TRANSFER DOES NOT PRECLUDE THE OPPORTUNITY FOR REVIEW OF THE VALIDITY OF THE WATER RIGHT(S) IN THE ONGOING SNAKE RIVER BASIN ADJUDICATION.

7. PLACE OF USE IS LOCATED WITHIN W1/2 LOT 2, BLOCK 11, OAKLEY.

USE OF THIS RIGHT IS COMBINED WITH WATER FROM OAKLEY CANAL CO.

10/07/2004

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

2004 OCT -8 PM 2:44

RIGHT NUMBER: 45-10249

NAME AND ADDRESS:

UTAUNA K HALE
PO BOX 129
OAKLEY ID 83346

CHAD W HUNTER
PO BOX 129
OAKLEY ID 83346

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

SOURCE: BIRCH CREEK

TRIBUTARY: GOOSE CREEK

QUANTITY: 0.006 CFS

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 0.269 CFS AT THE POINT OF MEASUREMENT IN THE
SESESE OF SECTION 14, T14S, R22E. COMBINED RIGHT NOS.: 45-79A,
45-79J, 45-79K, 45-79L, 45-79M, 45-79N, 45-79P, 45-79Q, 45-79R,
45-79S, 45-79T, 45-79U, 45-10008, 45-10249, 45-10690, 45-10754,
45-10767, 45-10891, AND 45-11104.

The quantity of water under this right shall not exceed 13,000 gallons per
day.

PRIORITY DATE: 12/05/1882

POINT OF

DIVERSION: T14S R22E S14 SESESE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	03/15 11/15	0.006 CFS
Domestic use is for 1 pasture.		

PLACE OF USE: DOMESTIC Within CASSIA County

T13S R22E S33 SWSW

USE OF THIS RIGHT WITH RIGHT NO. 45-86D IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF .4 ACRES IN A SINGLE IRRIGATION SEASON.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for
the definition of the rights or for the efficient administration of the water
rights as may be ultimately determined by the Court at a point in time no
later than the entry of a final unified decree. Section 42-1412(6), Idaho
Code.

10/07/2004

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

PROPERTY IS ALSO KNOWN AS PART OF LOT 2, BLK 11, OAKLEY
TOWNSITE. PARCEL NO. OK002011002B.

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 45-82E.

USE OF THIS RIGHT IS COMBINED WITH WATER FROM OAKLEY CANAL CO.